

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office to the Attention of Examiner J. Seharaseyon at Fax #703-308-0294 on the date shown below.

Diane W. Halata

Diane W. Halata
Signature

December 4, 2001
Date

Attorney Docket No.: P50161X1 D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Pelus, et al. December 4, 2001
Serial No 09/467,160 Group Art Unit: 1647
Filed: December 20, 1999 Examiner: J. Seharaseyon
Title: METHODS OF ENHANCING BIOACTIVITY OF CHEMOKINES

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

Petitioner, SmithKline Beecham Corporation of One Franklin Plaza, Philadelphia, Pennsylvania 19103, represents that it is the assignee of all title and interest in United States Patent Application Serial No. 09/476,160, filed on December 20, 1999 for " METHODS OF ENHANCING BIOACTIVITY OF CHEMOKINES ", by virtue of an assignment being duly recorded at Reel 9252 and Frame 0189 in the United States Patent and Trademark Office on June 2, 1998. The above-identified application is a divisional of application Serial No. 08/557,142, now Patent No. 6,080,398; which is a CPA, filed August 3, 1999 of parent application Serial No. 08/557,142, filed March 5, 1996, now abandoned; which is a 371 of International Application No. PCT/US94/06264, filed on 03 June 1994, which is a continuation of application Serial No. 08/073,800, now abandoned, filed on 8 June 1993.

Petitioner, SmithKline Beecham Corporation, hereby disclaims the terminal part of any patent granted on the above-identified application Serial No. 09/476,160 which would extend

beyond the expiration date of the full statutory term defined in USC 154 and 156 of United

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Serial No.: 09/467,160
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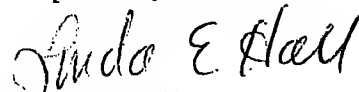
States Patent 6,080,398, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,080,398. This agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term defined in 35 USC 154 of United States Patent No. 6,080,395 in the event that United States Patent No. 6,080,395 is abandoned, expires for failure to pay a maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise not deemed to provide the rights conveyed by 35 USC 154 prior to the expiration of its full statutory term, except for the separation of legal title stated above. This disclaimer shall not be effective against any patent term extensions obtained under 35 USC §156 for any patent granted on the above-identified application.

Please charge the \$110.00 fee required by this Petition under 37 CFR §1.20(d) to Deposit Account Number 19-2570.

Also should the Commissioner determine that said fee is not sufficient to have the petition entered, the Commissioner is hereby authorized to charge any such fee that may be required by this petition or to credit any over payment to said deposit account.

Respectfully submitted



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Attorney of Record

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